



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

# 14  
Reg for Recm.  
S. Bryce  
3/5/03

In re Patent Application of

YACCARINO III

Serial No.: 09/503,166

Filed: February 14, 2000

For: COMPOUND BONE STRUCTURE  
OF ALLOGRAFT TISSUE WITH  
THREADED FASTENERS

EXAMINER PHAN

Group Art Unit 3738

The Honorable Commissioner of  
Patents and Trademarks  
Washington, D.C. 20231

Sir:

**RESPONSE**

In response to the outstanding Office Action of August 27, 2002, Applicant responds as follows:

**REMARKS**

Applicant traverses the rejections of claims 1-12 and 29-32 as being obvious under 35 U.S.C. 103 in view of Paul et al. Patent Number 6,258,125 combined with Reed Patent Number 5,968,047.

United States Patent Number 6,258,125 to Paul et al. is assigned to Synthes Corporation, a marketing partner of the Assignee of the present invention, Musculoskeletal Transplant Foundation. Both the inventor of the '125 patent, Paul and the inventor of the present application, Yaccarino work together on specific projects and have knowledge of each others work in this area.

Figures 6, 7, 8, 8A and 11 in the '125 patent (Figure 6 being a plan view of Figure 7) on which the Examiner's argument were based are essentially the same as drawings made by Joseph Yaccarino prior to the filing of the provisional application number 60/095,209 on August 3, 1998 from which the 6,258,125 patent claims priority. Figures 7, 8, 8A and 11 also basically appear in U.S.